

THE INDIANAPOLIS MARION COUNTY LAW ENFORCEMENT
CONSOLIDATION COMMITTEE

DATE: September 27, 2005

CALLED TO ORDER: 5:34 p.m.

ADJOURNED: 7:46 p.m.

ATTENDANCE

Attending Members

Mary Moriarty Adams, Chairwoman
Lonnell Conley
Ron Gibson
Dane Mahern
Lynn McWhirter
Marilyn Pfisterer
Lincoln Plowman
William Oliver

Absent Members

Joanne Sanders

AGENDA

PROPOSAL NO. 471, 2005 - amends the Code to establish a metropolitan law enforcement agency through the consolidation of the Indianapolis Police Department and the Marion County Sheriff's Department, to establish a transition advisory board and make other provisions to ensure that such consolidation proceeds in an orderly fashion, and to make corresponding technical changes to numerous sections of the Code

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CONSOLIDATION COMMITTEE

The Indianapolis Marion County Law Enforcement Consolidation Committee of the City-County Council met on Tuesday, September 27, 2005. Chairwoman Mary Moriarty Adams called the meeting to order at 5:34 p.m. with the following members present: Lonnell Conley, Ron Gibson, Dane Mahern, Lynn McWhirter, Marilyn Pfisterer, Lincoln Plowman, and William Oliver. Absent was Joanne Sanders. Also in attendance were Councillors Patrice Abdullah, Scott Keller, and Jackie Nytes.

PROPOSAL NO. 471, 2005 - amends the Code to establish a metropolitan law enforcement agency through the consolidation of the Indianapolis Police Department and the Marion County Sheriff's Department, to establish a transition advisory board and make other provisions to ensure that such consolidation proceeds in an orderly fashion, and to make corresponding technical changes to numerous sections of the Code

Councillor Talley read verbatim a statement regarding the consolidation (Exhibit A, attached).

Steve Campbell, Deputy Mayor, gave a presentation on law enforcement consolidation (Exhibit B, on file in the Council office). The key points are as follows:

- Citizens who live in the Indianapolis Police Department (IPD) district are paying for IPD and Sheriff patrols, but only receive patrol from IPD. These same citizens also pay for police service that every commuter and citizens get for free countywide.
- Citizens who live in the Sheriff's district do not have the same level of patrol and community policing as in the IPD district.
- The five main points of the law enforcement merger are:
 - 1) Taxpayers throughout the City and County will get enhanced police coverage.
 - 2) Beat officers will not be moved out of the IPD district.
 - 3) Police patrols and coverage will improve in the townships.
 - 4) The Sheriff, through his or her appointed chief, will have sole authority over the operation of the new agency.
 - 5) The City and County will provide better service at a lower cost.
- The timetable will begin upon passage of the ordinance and prior to January 1, 2006 when the transition authority begins to work, the transition advisory committee is appointed, and the Sheriff appoints chief.

- January 1, 2006 the Metropolitan Law Enforcement Agency comes into existence and chief takes charge of agency.
- January 1, 2007 the merger of patrol resources is effective.
- Transition Authority members will consist of the Marion County Sheriff, Mayor of Indianapolis, and President of the City-County Council.
- The purpose of the Transition Advisory Committee is to provide coordinated input on the merger to the authority. The duties of the advisory committee are to make recommendations to the Transition Authority regarding the merger and perform other duties assigned by the Transition authority.
- The chief's duties include: responsibility, for day-to day operations of the agency, establishes system of order and procedures, and oversees hiring and discipline under the agency's merit system.
- The purpose of the Law Enforcement Advisory Council is to ensure ongoing neighborhood, government, and citizen input into local law enforcement.

Councillor Mahern asked if the new consolidated department will have a separate pension fund. Suzannah Overholt, Transition Director, said under Senate Bill 307 all new members of the agency will be put into the 1977 fund.

Councillor McWhirter asked why it is necessary for the Sheriff to appoint a chief. Ms. Overholt said the Sheriff currently has different individuals overseeing the various divisions of the department. She said they are using the model of appointing a chief for this entity to merge one of the City's procedures with current structure of the Sheriff's department. Councillor McWhirter asked if the transition authority and transition advisory committee will be bi-partisan. Mr. Campbell said the advisory committee will be open to suggestions from the Council for additional members for the committee. He said the party of the three officials of the transition authority is not guaranteed to always be of the same party. Councillor McWhirter asked if the Sheriff's Department will continue to pay Social Security or if IPD will have to start paying Social Security. Ms. Overholt said an outside attorney has given the opinion that all members of the new agency will not be covered by Social Security. Councillor McWhirter asked if IPD officers that are currently not paying Social Security will be exempt. Ms. Overholt replied in the affirmative.

Councillor Plowman asked if anyone in local law enforcement in Marion County had any input in this plan. Mr. Campbell stated they have consulted with several people who have law enforcement experience in Marion County. Councillor Plowman stated that he believes that if there was input from local law enforcement,

the issue of merging law enforcement would not need to exist. Mr. Campbell said the elimination of merging law enforcement is not an option. He said the reason being that there is no more money and the City has to be creative and innovative in finding ways to fix the problem.

Councillor Oliver asked what the ratio of crime per capita is. Ms. Overholt stated that she is unsure of the exact ratios but will provide this information to Councillor Oliver.

Councillor Conley asked for clarification on what happens with the Sheriff, being an elected official, after he appoints the chief of the new agency. Aaron Haith, General Counsel, City-County Council, said the Sheriff will still maintain his constitutional duties. He said the only thing that is changing is that the City is allowed to merge the County Sheriff Department and IPD. Mr. Campbell added that the chief of the new agency will now report to the Sheriff instead of the Mayor.

Councillor Pfisterer asked if police officers' job duties are revised what does that do to public safety. Mr. Campbell said officers will not be moved out of the IPD special service district; in fact, under the current plan, no patrol officers will be moved. Councillor Pfisterer asked if adequate public safety will be provided by this merger. She stated that the County Option Income Tax (COIT) increase raised \$26 million and that would go a long way toward funding the public safety crisis.

Mr. Haith said as officers retire those positions will be filled with patrolman under the consolidated department. He said there will be a shift in the previously assigned administrative officers to do other duties, which will put more patrolmen serving the law enforcement purpose.

Bob Clifford, City Controller, clarified that the COIT increase raised \$17 million but then is divided between the City, the County, and unconsolidated cities in township government. He said all the money raised from the increase in COIT is being spent towards public safety and criminal justice.

Councillor Abdullah asked why officers were left out of the drafting of this ordinance. Mr. Campbell said there have been a lot of opportunities for the public and officers to give their opinion on the proposed plan and many have participated in voicing their opinion. He said this proposal has been studied and talked about for the last 30 years and all that information was used in the drafting of this proposed ordinance.

Sheriff Frank Anderson said he opposes consolidation unless extensive studies are conducted to answer all reasonable questions, The elected Sheriff is in charge, and consolidation is the will of the people and demonstrated by broad bi-partisan support. He encouraged the Council to vote against law enforcement consolidation and support a law enforcement collaboration to provide quick help to public safety

needs. He went on to read verbatim the enhanced law enforcement collaboration (Exhibit C, attached). He said he is confident that if both of the law enforcement departments are brought to the table many more projects will be presented that will provide cost savings and efficiency.

Councillor Conley asked if the Sheriff would be willing to revisit some of the points just discussed. Sheriff Anderson said he has already asked his two colonels to meet with Chief Spears. He said both of these departments are eager to do anything that will enhance public safety for the citizens of Marion County.

Councillor Abdullah asked if there is a timetable for a solution in the law enforcement collaboration. Sheriff Anderson said he cannot give a timetable until they receive the opportunity to sit down at the table.

Councillor Oliver asked what the criteria was in deciding that more deputies are needed. Sheriff Anderson said they looked at the number of runs, response times to a scene, and other factors.

Councillor Plowman asked if the Sheriff believed police protection in Marion County would be improved under consolidation. Sheriff Anderson said he thinks police protection would be improved under collaboration at this time. Councillor Plowman said this is a very big plan and other options need to be brought to the table before any decisions are made.

Councillor Gibson moved, seconded by Councillor Mahern, to take a five minute recess. Consent was given.

Following the five minute recess, Councillor Plowman moved, seconded by Councillor McWhirter, to table Proposal No. 471, 2005. The motion failed by a vote of 3-5, with Councillors Plowman, McWhirter and Pfisterer casting the positive vote.

Councillor Conley said he would like to see the collaboration go forth and have facts and figures on the collaboration given to the Council. He said this will help in making the decision on how to move forward with public safety.

Councillor Pfisterer said she is disappointed that the committee could not agree to support our elected Sheriff and consider the information that he brought to the committee.

Paul Smith, citizen, said the process on this proposal is being handled unfairly. He urged the committee to listen and go forth with the Sheriff's plan to collaborate law enforcement.

Captain Bobby Allen, IPD, said the plan to collaborate between law enforcement is a good plan, but the Mayor has to give the ok for collaboration. He said if the Sheriff can save money allow him to do so.

Steve Davis, retired from Marion County Sheriff Department (MCSD), said that extensive studies have been done and IndyWorks is not smarter government, not cheaper, and not efficient. He said it will jeopardize people's safety and raise taxes, and the constituents do not want consolidation.

Doug Gosser, Deputy Director of the Indiana Sheriff's Association, said any movement within the Sheriff's office not only affects the Sheriff but 91 other Sheriffs, which the association represents. He said the association supports Sheriff Frank Anderson and urges the Council to take into consideration the Sheriff's plan to collaborate.

Vince Huber, Fraternal Order of Police (FOP), said the FOP and members will collaborate with the MCSD, IPD, and hopefully members of the Council to make sure the right thing is being done for the right reason. He said more time needs to be allotted for consideration on the Sheriff's plan to collaborate.

CONCLUSION

With no further business pending, and upon motion duly made, the Administration and Finance Committee of the City-County Council was adjourned at 7:46 p.m.

Respectfully submitted,

Mary Moriarty Adams, Chairwoman
The Indianapolis Marion County
Law Enforcement Consolidation
Committee

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